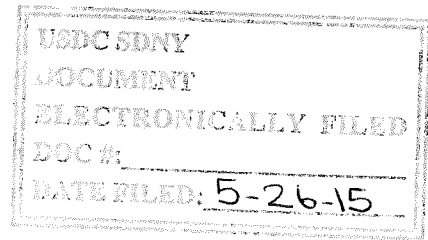


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**MAXCIMO SCOTT, et al., on behalf of  
themselves and all others similarly  
situated,**

**Plaintiffs,**

**-against-**

**CHIPOTLE MEXICAN GRILL, INC.,**

**Defendant.**  
-----X

**12 Civ. 8333 (ALC)(SN)**

**ORDER**

**ANDREW L. CARTER, JR., United States District Judge:**

On April 21, 2015, Defendant Chipotle Mexican Grill, Inc. ("Chipotle") filed objections under Rule 72(a) to Magistrate Judge Netburn's Order dated April 15, 2015, ECF No. 959, which memorialized a ruling made by Judge Netburn during a conference on April 7, 2015. As stated by Judge Netburn during a telephone conference attended by the parties on April 21, 2015, Chipotle's objection on the basis of the work product protection is **OVERRULED** as untimely, Swartz Decl. Ex. 1, at 6. *Gramercy Advisors, LLC v. Ripley*, No. 13 Civ. 9070, 2014 WL 5847444, at \*3 (S.D.N.Y. Nov. 12, 2014); *Pegoraro v. Marrero*, No. 10 Civ. 00051, 2013 WL 1448769, at \*1 (S.D.N.Y. April 9, 2013). Moreover, for the reasons stated in the April 15, 2015 Order, as well as in Judge Netburn's March 27, 2015 Memorandum and Order, ECF No. 942, Chipotle's objection on the basis of the inadvertent waiver doctrine is **OVERRULED**.

**SO ORDERED.**

**Dated:** New York, New York  
May 26, 2015

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written over a horizontal line.

**Andrew L. Carter, Jr.  
United States District Judge**